



WEB COPY



W.P.No.39316 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.39316 of 2024

T.Suyamburaj

... Petitioner

VS.

1.The Commissioner
O/o.Commissioner,
Hindu Religious and Charitable Endowment
Chennai -34.

2.The Joint Commissioner,
O/o.Joint Commissioner of HR And CE,
Cuddalore District.

3.The Assistant Commissioner
Hindu Religious And Charitable Endowment Department,
Cuddalore District.

4.The Executive Officer,
Arulmigu Vaithiyanathaswamy Thirukovil,
Thittakudi, Cuddalore District.

..Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents or his agents, mens not to take any coercive steps as per the proceedings vide Se.Mu.N.Ka 7016 /2024 /A4 dated 28/10/2024 M.P.No.269/2024 passed by the 2nd respondent until disposal of the Revision petition No.557 / 2024 D2 dated 28/11/2024 pending before the 1st respondent.



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For Petitioner

: Mr.P.Muthamizhselvakumar

For Respondents 1 to 4

: Mr.N.R.R.Arun Natarajan
Special Government Pleader (Hr & CE)

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

2. The petitioner herein seeks a direction to respondents not to take any coercive steps as per the proceedings vide Se.Mu.N.Ka 7016 /2024 /A4 dated 28/10/2024 in M.P.No.269/2024 till the disposal of the revision petition in Revision Petition No.557/2024 D2 dated 28/11/2024 pending on the file of 1st respondent.

3. It is not in dispute that eviction proceedings has been initiated against the petitioner by the 2nd respondent in M.P.No.269 of 2024 and the same was culminated in passing of eviction order. Challenging the same, the petitioner filed a revision before the 1st respondent on 28.11.2024 along



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with stay application. The 1st respondent issued enquiry notice fixing the date of enquiry as 10.02.2025. It is asserted by the petitioner that in the mean time, the 2nd respondent is trying to enforce the eviction order. Therefore, he has come before this Court.

4. The learned Special Government Pleader(HR & CE), who takes notice for the respondents 1 to 4, submits that petitioner is making an attempt to encumber the property. Therefore, necessary order shall be passed to protect the interest of the temple. The learned Special Government Pleader (HR & CE) also submits that 1st respondent is ready to take up the stay application filed by the petitioner on 20.01.2025 and the petitioner may be directed to co-operate for disposal of the stay petition.

5. In view of the same, the petitioner is directed to appear before 1st respondent for enquiry in the stay petition on 20.01.2025 at 2.15P.M. The 1st respondent is directed to consider the stay application filed by the petitioner and dispose of the same within a period of two weeks from 20.01.2025. Till the disposal of the stay application, both the petitioner and the respondents 2 to 4 are directed to maintain *statusquo*.



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6. With the above directions, the Writ Petition stands disposed of. No costs.

02.01.2025

Index: Yes/No
Internet: Yes/No
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S.SOUNTHAR, J.

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